REMARKS

In accordance with the foregoing, claims 1-4, 8-11, and 15-18 are amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-21 are pending and under consideration.

CLAIM AMENDMENTS

Independent claims 1, 8, and 15 are amended herein to respectively recite a device, a storage medium, and a method, using claim 1 as an example, including "a managing module creating a list of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, and upon a reading of one of the electronic mails after the predetermined timing the state of "unread" being not changed and a controller controlling a management of reading of the electronic mail with the state of "unread" on the list." Dependent claims 2-4, 9-11, and 16-18 are amended accordingly.

Support for these amendments is found in the specification, for example, on page 11, lines 6-7 and page 30, lines 9-15.

No new matter is being presented, and approval and entry of the amended claims are respectfully requested.

PAGES 4-5: REJECTION OF CLAIMS 1, 8, AND 15 UNDER 35 U.S.C. §112, FIRST PARAGRAPH

The Examiner rejects claims 1, 8, and 15 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Examiner contends that he could not find support in the specification for:

> "fixing a state of "unread" of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, the fixed state of "unread" being not changed by reading the electronic mail with the fixed state of "unread" after the predetermined timing.

(Action at pages 4-5).

Claims 1, 8, and 15 are amended herein, using claim 1 as an example, to recite "a managing module creating a list of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, and upon reading one of the electronic mails after the predetermined timing the state of "unread" being not changed ; and a controller controlling a management of reading of the electronic mail with the state of "unread" on the list."

Applicant points out that the term "fixed" is replaced with the phrase a "list of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing", and the term "handling unit" replaced with the term --managing module--.

Support for these amendments is found in the specification, for example, on page 11,

lines 6-7 that discus "the managing module 7A creates the unread mail list 16 at a predetermined timing," and on page 30 lines 9-15 that discuss:

> contents of the unread mail list 16 do not change due to a fulfillment of the already-read setting condition (the display of the body of the electronic mail), and the unread mail list 16 continues to be effective till the viewer window 15A is closed (disappear from the screen).

Summary

Applicant submits that claims 1, 8, and 15, all as amended, comply with 35 U.S.C. §112, first paragraph and requests withdrawal of the rejection.

PAGES 7-10: REJECTION OF CLAIMS 1-6, 8-13 AND 15-20 UNDER 35 U.S.C. §102(b) AS BEING ANTICIPATED BY BAILEY ET AL. (U.S.P. 5,835,084)

PAGES 11-12 REJECTION OF CLAIMS 7, 14 AND 21 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER BAILEY IN VIEW OF KUDOH ET AL. (U.S.P. 5,948,058)

The Examiner rejects claims 1-6, 8-13 and 15-20 under 35 U.S.C. §102(b) as being anticipated by Bailey and rejects claims 7, 14 and 21 under 35 U.S.C. §103(a) as being unpatentable over Bailey in view of Kudoh. In item 4 of the Action, entitled Response to Amendment, the Examiner contends:

> Bailey teaches a processor executing a message application that displays a highlighted message in a preview pane and setting a timer for a selected time-out period. Based on the user activity keeping the state of message "read" or "unread", for example message may appear a brief time period in the preview pane as user scrolls and may stay in the "unread" state.

(Action at page 3).

The rejections are traversed.

. As set forth in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention.

Applicant submits that Bailey does not support an anticipatory-type rejection by not describing features recited in the present application's independent claims.

Further, as set forth in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art."

Applicant submits that even an *arguendo* combination of Bailey in view of Kudoh does not teach features recited by present application's independent claims .

Independent claims 1, 8, and 15, all as amended herein, respectively recite a device, a storage medium, and a method, using claim 1 as an example, including "a managing module creating a list of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, and upon reading one of the electronic mails after the predetermined timing the state of "unread" being not changed ; and a controller controlling a

management of reading of the electronic mail with the state of "unread" on the list."

Applicant submits that that the art relied on by the Examiner, alone or in combination, does not discuss recited features of each of the independent claims, all as amended.

In particular neither Bailey nor Kudoh, alone or in combination, discuss "creating a list of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, and upon a reading of one of the electronic mails after the predetermined timing the state of "unread" being not changed."

Further, such a "creating a list...." is not discussed by Bailey's teaching of a message that may appear for a brief time period, as the Examiner incorrectly contends.

To the contrary, Bailey neither discusses a message is marked as read if it is read or likely left unread.

Further, Bailey does not discuss a creating a list at a "predetermined timing."

Summary

Since features recited by Independent claims 1, 8, and 15 (and respective dependent claims 2-7, 9-14, and 16-21 are not taught by the cited and *prima facie* obviousness has not been established, the rejections should be withdrawn and claims 1-21 allowed.

<div align="center">CONCLUSION</div>

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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